

PROSKAUER ROSE LLP

ELISE M. BLOOM (admitted *pro hac vice*)
ebloom@proskauer.com
NEIL H. ABRAMSON (admitted *pro hac vice*)
nabramson@proskauer.com
ADAM M. LUPION (admitted *pro hac vice*)
alupion@proskauer.com
RACHEL S. PHILION (admitted *pro hac vice*)
rphilion@proskauer.com
NOA M. BADDISH (admitted *pro hac vice*)
nbaddish@proskauer.com
JOSHUA S. FOX (admitted *pro hac vice*)
jfox@proskauer.com
Eleven Times Square
New York, NY 10036
Telephone: (212) 969-3000
Facsimile: (212) 969-2900

PROSKAUER ROSE LLP

PHILIPPE A. LEBEL (SBN 274032)
plebel@proskauer.com
2029 Century Park East, 24th Floor
Los Angeles, CA 90067-3010
Telephone: (310) 557-2900
Facsimile: (310) 557-2193

PROSKAUER ROSE LLP

MARK W. BATTEN (admitted *pro hac vice*)
mbatten@proskauer.com
SAMANTHA R. MANELIN (admitted *pro hac vice*)
smanelin@proskauer.com
One International Place
Boston, MA 02110-2600
Telephone: (617) 526-9600
Facsimile: (617) 526-9899

Attorneys for Defendants

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

AARON SENNE, *et al.*,

Plaintiffs,

vs.

OFFICE OF THE COMMISSIONER OF
BASEBALL, an unincorporated association
doing business as MAJOR LEAGUE
BASEBALL, *et al.*,

Defendants.

Case No. CV 14-00608 JCS (consolidated
with 3:14-cv-03289-JCS)

Hon. Joseph C. Spero

CLASS ACTION

**DECLARATION OF ELISE M.
BLOOM IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
PLAINTIFFS' MOTION FOR
PARTIAL SUMMARY JUDGMENT**

1 I, Elise M. Bloom, declare as follows:

2 1. I am a partner at Proskauer Rose, LLP, counsel for all Defendants in this matter.

3 2. I submit this declaration in support of the Defendants' Opposition to Plaintiffs'
4 Motion for Partial Summary Judgment.

5 3. I have personal knowledge of the facts contained in this declaration, and if called
6 to testify, I could and would testify competently thereto.

7 4. Prior to the close of fact discovery in June 2016, the Clubs produced gross
8 receipts, on a cash accounting basis, by month, for their spring training facility "establishments"
9 in Florida or Arizona during the relevant time period. The Clubs produced the information in
10 summary fashion as set forth in verified interrogatory answers or sworn declarations.

11 5. After the close of fact discovery in June 2016, Plaintiffs demanded that the Clubs
12 produce underlying source documents relating to the gross receipts.

13 6. The parties agreed to defer discovery disputes raised prior to or after the close of
14 fact discovery in June 2016 until after the Court's ruling on Plaintiffs' motion for
15 reconsideration.

16 7. On March 7, 2017, the Court issued its Order regarding Plaintiffs' motion for
17 reconsideration, and on April 21, 2017, Defendants agreed to produce the underlying source
18 records Plaintiffs requested related to gross receipts. On May 5, 2017, the Court stayed
19 discovery pending the parties' cross-appeals to the Ninth Circuit.

20 8. Defendants produced the underlying source records related to gross receipts when
21 the discovery stay was lifted without any claim from Plaintiffs that those productions were
22 deficient in any respect.

23 9. Plaintiffs had the opportunity to probe the Clubs' responses and verify the gross
24 receipts information during fact discovery, including but not limited to, during the Clubs' Rule
25 30(b)(6) depositions and during supplemental fact discovery that concluded on July 1, 2021.

26 10. Attached hereto as **Exhibit 1** is a true and correct copy of the relevant excerpts of
27

Omar Aguilar's Deposition ("Aguilar"), taken on December 15, 2016.

11. Attached hereto as **Exhibit 2** is a true and correct copy of the relevant excerpts of William Alvino's Deposition ("Alvino"), taken on June 24, 2016.

12. Attached hereto as **Exhibit 3** is a true and correct copy of the relevant excerpts of Taylor Jake Anderson's Deposition ("Anderson"), taken on June 14, 2016.

13. Attached hereto as **Exhibit 4** is a true and correct copy of the relevant excerpts of Craig Bennigson's Deposition ("Bennigson"), taken on February 9, 2016.

14. Attached hereto as **Exhibit 5** is a true and correct copy of the relevant excerpts of Daniel Britt's Deposition ("Britt"), taken on January 7, 2016.

15. Attached hereto as **Exhibit 6** is a true and correct copy of the relevant excerpts of Steven Caseres's Deposition ("Caseres"), taken on May 6, 2016.

16. Attached hereto as **Exhibit 7** is a true and correct copy of the relevant excerpts of Matt Daly's Deposition ("Daly"), taken on October 29, 2015.

17. Attached hereto as **Exhibit 8** is a true and correct copy of the relevant excerpts of Leonard Davis's Deposition ("L. Davis"), taken on January 13, 2016.

18. Attached hereto as **Exhibit 9** is a true and correct copy of the relevant excerpts of Aaron Dott's Deposition ("Dott"), taken on June 13, 2016.

19. Attached hereto as **Exhibit 10** is a true and correct copy of the relevant excerpts of Grant Duff's Deposition ("Duff"), taken on November 4, 2015.

20. Attached hereto as **Exhibit 11** is a true and correct copy of the relevant excerpts of Lauren Gagnier's Deposition ("Gagnier"), taken on October 20, 2015.

21. Attached hereto as **Exhibit 12** is a true and correct copy of the relevant excerpts of Jonathan Gaston's Deposition ("Gaston"), taken on January 12, 2016.

22. Attached hereto as **Exhibit 13** is a true and correct copy of the relevant excerpts of Nicholas Giarraputo's Deposition ("Giarraputo"), taken on November 5, 2015.

23. Attached hereto as **Exhibit 14** is a true and correct copy of the relevant excerpts

of Brandon Henderson’s Deposition (“Henderson”), taken on February 3, 2016.

24. Attached hereto as **Exhibit 15** is a true and correct copy of the relevant excerpts of Bryan Henry’s Deposition (“Henry”), taken on June 28, 2021.

25. Attached hereto as **Exhibit 16** is a true and correct copy of the relevant excerpts of Mitchell Hilligoss’ Deposition (“Hilligoss”), taken on January 20, 2016.

26. Attached hereto as **Exhibit 17** is a true and correct copy of the relevant excerpts of Ryan Hutson’s Deposition (“Hutson”), taken on November 10, 2015.

27. Attached hereto as **Exhibit 18** is a true and correct copy of the relevant excerpts of Daniel Jimenez’s Deposition (“Jimenez”), taken on June 10, 2016.

28. Attached hereto as **Exhibit 19** is a true and correct copy of the relevant excerpts of Jake Kahaulelio’s Deposition (“Kahaulelio”), taken on October 22, 2015.

29. Attached hereto as **Exhibit 20** is a true and correct copy of the relevant excerpts of Ryan Khoury’s Deposition (“Khoury”), taken on February 10, 2016.

30. Attached hereto as **Exhibit 21** is a true and correct copy of the relevant excerpts of Ryan Kiel’s Deposition (“Kiel”), taken on December 10, 2015.

31. Attached hereto as **Exhibit 22** is a true and correct copy of the relevant excerpts of Christopher Lashmet’s Deposition (“Lashmet”), taken on April 5, 2016.

32. Attached hereto as **Exhibit 23** is a true and correct copy of the relevant excerpts of Matthew Lawson’s Deposition (“Lawson”), taken on December 2, 2015.

33. Attached hereto as **Exhibit 24** is a true and correct copy of the relevant excerpts of Michael Liberto’s Deposition (“Liberto”), taken on November 11, 2015.

34. Attached hereto as **Exhibit 25** is a true and correct copy of the relevant excerpts of Erik Lis’s Deposition (“Lis”), taken on May 26, 2016.

35. Attached hereto as **Exhibit 26** is a true and correct copy of the relevant excerpts of Barret Loux’s Deposition (“Loux”), taken on April 26, 2016.

36. Attached hereto as **Exhibit 27** is a true and correct copy of the relevant excerpts

of Kyle Mahoney's Deposition ("Mahoney"), taken on April 12, 2016.

37. Attached hereto as **Exhibit 28** is a true and correct copy of the relevant excerpts of Tanner Mathis' Deposition ("Mathis"), taken on June 9, 2016.

38. Attached hereto as **Exhibit 29** is a true and correct copy of the relevant excerpts of Bradley McAtee's Deposition ("McAtee"), taken on December 15, 2015.

39. Attached hereto as **Exhibit 30** is a true and correct copy of the relevant excerpts of Aaron Meade's Deposition ("Meade"), taken on December 3, 2015.

40. Attached hereto as **Exhibit 31** is a true and correct copy of the relevant excerpts of Jeff Nadeau's Deposition ("Nadeau"), taken on November 24, 2015.

41. Attached hereto as **Exhibit 32** is a true and correct copy of the relevant excerpts of Philip Negus's Deposition ("Negus"), taken on July 9, 2016.

42. Attached hereto as **Exhibit 33** is a true and correct copy of relevant excerpts of Brett Newsome's Deposition ("Newsome"), taken on January 21, 2016.

43. Attached hereto as **Exhibit 34** is a true and correct copy of the relevant excerpts of Kyle Nicholson's Deposition ("Nicholson"), taken on November 18, 2015.

44. Attached hereto as **Exhibit 35** is a true and correct copy of the relevant excerpts of Oliver Odle's Deposition ("Odle"), taken on December 1, 2015.

45. Attached hereto as **Exhibit 36** is a true and correct copy of the relevant excerpts of Jacob Opitz's Deposition ("Opitz"), taken on November 23, 2015.

46. Attached hereto as **Exhibit 37** is a true and correct copy of the relevant excerpts of Roberto Ortiz's Deposition ("Ortiz"), taken on December 9, 2015.

47. Attached hereto as **Exhibit 38** is a true and correct copy of the relevant excerpts of Tim Pahuta's Deposition ("Pahuta"), taken on December 17, 2015.

48. Attached hereto as **Exhibit 39** is a true and correct copy of the relevant excerpts of Dustin Pease's Deposition ("Pease"), taken on December 14, 2015.

49. Attached hereto as **Exhibit 40** is a true and correct copy of the relevant excerpts

of Steven Proscia’s Deposition (“Proscia”), taken on April 26, 2016.

50. Attached hereto as **Exhibit 41** is a true and correct copy of the relevant excerpts of David Quinowski’s Deposition (“Quinowski”), taken on January 5, 2016.

51. Attached hereto as **Exhibit 42** is a true and correct copy of the relevant excerpts of Gaspar Santiago’s Deposition (“Santiago”), taken on December 8, 2015.

52. Attached hereto as **Exhibit 43** is a true and correct copy of the relevant excerpts of Cody Sedlock’s Deposition (“Sedlock”), taken on May 10, 2021.

53. Attached hereto as **Exhibit 44** is a true and correct copy of the relevant excerpts of Aaron Senne’s Deposition (“Senne”), taken on October 27, 2015.

54. Attached hereto as **Exhibit 45** is a true and correct copy of the relevant excerpts of James Swift’s Deposition (“Swift”), taken on March 30, 2016.

55. Attached hereto as **Exhibit 46** is a true and correct copy of the relevant excerpts of Adam Veres’s Deposition (“Veres”), taken on May 17, 2016.

56. Attached hereto as **Exhibit 47** is a true and correct copy of the relevant excerpts of Kyle Von Tungeln’s Deposition (“Von Tungeln”), taken on May 23, 2016.

57. Attached hereto as **Exhibit 48** is a true and correct copy of the relevant excerpts of Joel Weeks’ Deposition (“Weeks”), taken on January 6, 2016.

58. Attached hereto as **Exhibit 49** is a true and correct copy of the relevant excerpts of Kyle Woodruff’s Deposition (“Woodruff”), taken on October 21, 2015.

59. Attached hereto as **Exhibit 50** is a true and correct copy of the relevant excerpts of Nelfi Zapata’s Deposition (“Zapata”), taken on June 9, 2016.

60. Attached hereto as **Exhibit 51** is a true and correct copy of the relevant excerpts of Bill Bavasi’s Deposition (“Bavasi”), taken on December 15, 2015.

61. Attached hereto as **Exhibit 52** is a true and correct copy of the relevant excerpts of Shedrick Bennett’s Deposition (“Bennett”), taken on January 12, 2016.

62. Attached hereto as **Exhibit 53** is a true and correct copy of the relevant excerpts

1 of Larry Broadway's Deposition ("Broadway"), taken on January 20, 2016.

2 63. Attached hereto as **Exhibit 54** is a true and correct copy of the relevant excerpts
3 of Douglas Davis's Deposition ("D. Davis"), taken on January 21, 2016.

4 64. Attached hereto as **Exhibit 55** is a true and correct copy of the relevant excerpts
5 of Christopher Gwynn's Deposition ("Gwynn"), taken on October 21, 2015.

6 65. Attached hereto as **Exhibit 56** is a true and correct copy of the relevant excerpts
7 of Gabe Kapler's Deposition ("Kapler"), taken on February 4, 2016.

8 66. Attached hereto as **Exhibit 57** is a true and correct copy of the relevant excerpts
9 of Roy Krasik's Deposition ("Krasik"), taken on June 29, 2016.

10 67. Attached hereto as **Exhibit 58** is a true and correct copy of the relevant excerpts
11 of Keith Lieppman's Deposition ("Lieppman"), taken on January 28, 2016.

12 68. Attached hereto as **Exhibit 59** is a true and correct copy of the relevant excerpts
13 of Quinton McCracken's Deposition ("McCracken"), taken on February 19, 2016.

14 69. Attached hereto as **Exhibit 60** is a true and correct copy of the relevant excerpts
15 of James Rantz' Deposition ("Rantz"), taken on December 8, 2015.

16 70. Attached hereto as **Exhibit 61** is a true and correct copy of the relevant excerpts
17 of Bobby Scales' Deposition ("Scales"), taken on December 16, 2015.

18 71. Attached hereto as **Exhibit 62** is a true and correct copy of the relevant excerpts
19 of Fred Seymour's Deposition ("Seymour"), taken on June 24, 2016.

20 72. Attached hereto as **Exhibit 63** is a true and correct copy of the relevant excerpts
21 of Randall Smith's Deposition ("R. Smith"), taken on February 2, 2016.

22 73. Attached hereto as **Exhibit 64** is a true and correct copy of the relevant excerpts
23 of Frank Viola's Deposition ("Viola"), taken on October 29, 2015.

24 74. Attached hereto as **Exhibit 65** is a true and correct copy of the relevant excerpts
25 of John Vuch's Deposition ("Vuch"), taken on November 20, 2015.

26 75. Attached hereto as **Exhibit 66** is a true and correct copy of the relevant excerpts

1 of Zachary Wilson's Deposition ("Wilson"), taken on January 21, 2016.

2 76. Attached hereto as **Exhibit 67** is a true and correct copy of the relevant excerpts
3 of the 30(b)(6) Deposition of the Arizona Diamondbacks ("Diamondbacks"), taken on March 31,
4 2016.

5 77. Attached hereto as **Exhibit 68** is a true and correct copy of the relevant excerpts
6 of the 30(b)(6) Deposition of the Atlanta Braves ("Braves"), taken on June 18, 2021.

7 78. Attached hereto as **Exhibit 69** is a true and correct copy of the relevant excerpts
8 of the 30(b)(6) Deposition of the Boston Red Sox ("Red Sox"), taken on June 30, 2021.

9 79. Attached hereto as **Exhibit 70** is a true and correct copy of the relevant excerpts
10 of the 30(b)(6) Deposition of the Chicago Cubs ("Cubs"), taken on May 11, 2016.

11 80. Attached hereto as **Exhibit 71** is a true and correct copy of the relevant excerpts
12 of the 30(b)(6) Deposition of the Chicago White Sox ("White Sox"), taken on June 16, 2021.

13 81. Attached hereto as **Exhibit 72** is a true and correct copy of the relevant excerpts
14 of the 30(b)(6) Deposition of the Cincinnati Reds ("Reds"), taken on April 14, 2016.

15 82. Attached hereto as **Exhibit 73** is a true and correct copy of the relevant excerpts
16 of the 30(b)(6) Deposition of the Cleveland Indians ("Indians"), taken on June 9, 2021.

17 83. Attached hereto as **Exhibit 74** is a true and correct copy of the relevant excerpts
18 of the 30(b)(6) Deposition of the Colorado Rockies ("Rockies"), taken on May 18, 2016.

19 84. Attached hereto as **Exhibit 75** is a true and correct copy of the relevant excerpts
20 of the 30(b)(6) Deposition of the Detroit Tigers ("Tigers"), taken on May 5, 2016.

21 85. Attached hereto as **Exhibit 76** is a true and correct copy of the relevant excerpts
22 of the 30(b)(6) Deposition of the Houston Astros ("Astros"), taken on April 27, 2016.

23 86. Attached hereto as **Exhibit 77** is a true and correct copy of the relevant excerpts
24 of the 30(b)(6) Deposition of the Kansas City Royals ("Royals"), taken on May 26, 2016.

25 87. Attached hereto as **Exhibit 78** is a true and correct copy of the relevant excerpts
26 of the 30(b)(6) Deposition of the Los Angeles Angels ("Angels"), taken on June 3, 2016.

88. Attached hereto as **Exhibit 79** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the Los Angeles Dodgers (“Dodgers”), taken on May 24, 2016.

89. Attached hereto as **Exhibit 80** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of Major League Baseball (“MLB”), taken on June 8, 2016.

90. Attached hereto as **Exhibit 81** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the Miami Marlins (“Marlins”), taken on April 14, 2016.

91. Attached hereto as **Exhibit 82** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the Milwaukee Brewers (“Brewers”), taken on April 21, 2016.

92. Attached hereto as **Exhibit 83** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the Minnesota Twins (“Twins”), taken on May 4, 2016 and May 5, 2016.

93. Attached hereto as **Exhibit 84** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the New York Mets (“Mets”), taken on May 11, 2016.

94. Attached hereto as **Exhibit 85** is a true and correct copy of relevant excerpts of the 30(b)(6) Deposition of the New York Yankees (“Yankees”), taken on June 3, 2016.

95. Attached hereto as **Exhibit 86** is a true and correct copy of relevant excerpts of the 30(b)(6) Deposition of the Oakland Athletics (“Athletics”), taken on May 17, 2016 and May 19, 2016.

96. Attached hereto as **Exhibit 87** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the Pittsburgh Pirates (“Pirates”), taken on May 25, 2016.

97. Attached hereto as **Exhibit 88** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the San Diego Padres (“Padres”), taken on June 13, 2016.

98. Attached hereto as **Exhibit 89** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the San Francisco Giants (“Giants”), taken on May 19, 2016.

99. Attached hereto as **Exhibit 90** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the Seattle Mariners (“Mariners”), taken on May 10, 2016.

100. Attached hereto as **Exhibit 91** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the St. Louis Cardinals (“Cardinals”), taken on May 16, 2016.

101. Attached hereto as **Exhibit 92** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the Tampa Bay Rays (“Rays”), taken on June 23, 2021.

102. Attached hereto as **Exhibit 93** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the Texas Rangers (“Rangers”), taken on April 28, 2016.

103. Attached hereto as **Exhibit 94** is a true and correct copy of the relevant excerpts of the 30(b)(6) Deposition of the Toronto Blue Jays (“Blue Jays”), taken on June 2, 2016.

104. Attached hereto as **Exhibit 95** is a true and correct copy of the relevant excerpts of J. Michael Dennis' Deposition ("Dennis"), taken on September 20, 2021.

105. Attached hereto as **Exhibit 96** is a true and correct copy of the relevant excerpts of Brian Kriegler’s Deposition (“Kriegler”), taken on September 22, 2021.

106. Attached hereto as **Exhibit 97** is a true and correct copy of the relevant excerpts from the Major League Rules, bearing Bates Numbers MLB0030353-MLB0030356, MLB0030374-MLB0030375, MLB0030464-MLB0030466, and MLB0030554-MLB0030580.

107. Attached hereto as **Exhibit 98** is a true and correct copy of the Major League Constitution, Article II, § 3, bearing Bates Numbers MLB0003926-MLB0003927.

108. Attached hereto as **Exhibit 99** is a true and correct copy of a Chicago Cubs Extended Spring Training schedule, dated May 2017, bearing Bates Number CHC0031519. Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is being filed along with this motion.

109. Attached hereto as **Exhibit 100** is a true and correct copy of a Kansas City Royals Spring Training schedule, dated March 2019, bearing Bates Number KAN0027769. Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is

1 being filed along with this motion.

2 110. Attached hereto as **Exhibit 101** is a true and correct copy of a Minnesota Twins
3 Spring Training schedule, dated March 2019, bearing Bates Number MIN0017504. Because this
4 document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated
5 protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is
6 being filed along with this motion.

7 111. Attached hereto as **Exhibit 102** is a true and correct copy of a New York Mets
8 Instructional League schedule, dated September 2014, bearing Bates Number NYM0003376.
9 Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’
10 stipulated protective order (Dkt. No. 233), it has been filed under seal and an administrative
11 motion is being filed along with this motion.

12 112. Attached hereto as **Exhibit 103** is a true and correct copy of a New York Mets
13 Championship Season schedule, dated April 2014, bearing Bates Numbers NYM0004201-
14 NYM0004202. Because this document has been marked as “Confidential-Restricted” pursuant
15 to the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an
16 administrative motion is being filed along with this motion.

17 113. Attached hereto as **Exhibit 104** is a true and correct copy of an Oakland Athletics
18 Instructional League schedule, dated September 2019, bearing Bates Number OAK0009829.
19 Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’
20 stipulated protective order (Dkt. No. 233), it has been filed under seal and an administrative
21 motion is being filed along with this motion.

22 114. Attached hereto as **Exhibit 105** is a true and correct copy of a San Diego Padres
23 Championship Season schedule, bearing Bates Numbers SDP0003749-SDP0003750. Because
24 this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated
25 protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is
26 being filed along with this motion.

115. Attached hereto as **Exhibit 106** is a true and correct copy of a San Diego Padres Spring Training schedule, dated March 2014, bearing Bates Number SDP0007443. Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is being filed along with this motion.

116. Attached hereto as **Exhibit 107** is a true and correct copy of a Texas Rangers Extended Spring Training schedule, dated April 2011, bearing Bates Number TEX0031305. Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is being filed along with this motion.

117. Attached hereto as **Exhibit 108** is a true and correct copy of a Texas Rangers Championship Season schedule, bearing Bates Number TEX0031332. Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is being filed along with this motion.

118. Attached hereto as **Exhibit 109** is a true and correct copy of the relevant excerpts of the Arizona Diamondbacks Player Development Manual, bearing Bates Numbers ARI0000178 and ARI0000218-ARI0000222. Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is being filed along with this motion.

119. Attached hereto as **Exhibit 110** is a true and correct copy of the relevant excerpts of the Kansas City Royals Minor League Handbook, bearing Bates Number KAN0028011.

120. Attached hereto as **Exhibit 111** is a true and correct copy of the relevant excerpts of the Cincinnati Reds Player Development Manual, bearing Bates Numbers CIN0000001 and CIN0000105-CIN0000113. Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order (Dkt. No. 233), it has been filed

1 under seal and an administrative motion is being filed along with this motion.

2 121. Attached hereto as **Exhibit 112** is a true and correct copy of the Houston Astros
3 Criteria for Advancement and Player Plans, bearing Bates Numbers HOU0000983-
4 HOU0000984. Because this document has been marked as “Confidential-Restricted” pursuant to
5 the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an
6 administrative motion is being filed along with this motion.

7 122. Attached hereto as **Exhibit 113** is a true and correct copy of the Kansas City
8 Royals Criteria for Advancement, bearing Bates Numbers KAN000647-KAN000649. Because
9 this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated
10 protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is
11 being filed along with this motion.

12 123. Attached hereto as **Exhibit 114** is a true and correct copy of the Seattle Mariners
13 Criteria for Advancement, bearing Bates Number SEA0001070. Because this document has
14 been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order
15 (Dkt. No. 233), it has been filed under seal and an administrative motion is being filed along with
16 this motion.

17 124. Attached hereto as **Exhibit 115** is a true and correct copy of the Chicago Cub
18 Standards, bearing Bates Numbers CHC0016530-CHC0016536. Because this document has been
19 marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order (Dkt. No.
20 233), it has been filed under seal and an administrative motion is being filed along with this
21 motion.

22 125. Attached hereto as **Exhibit 116** is a true and correct copy of the Los Angeles
23 Angels Level by Level Pitching Development Objectives, bearing Bates Numbers LAA0000179-
24 LAA0000181. Because this document has been marked as “Confidential-Restricted” pursuant to
25 the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an
26 administrative motion is being filed along with this motion.

126. Attached hereto as **Exhibit 117** is a true and correct copy of the Los Angeles Angels Level by Level Hitting Development Objectives, bearing Bates Numbers LAA0000200-LAA0000202. Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is being filed along with this motion.

127. Attached hereto as **Exhibit 118** is a true and correct copy of the Miami Marlins Goals for Levels, bearing Bates Numbers MIA002362-MIA002365. Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is being filed along with this motion.

128. Attached hereto as **Exhibit 119** is a true and correct copy of the Texas Rangers Pitchers Level to Level Development, bearing Bates Numbers TEX0028698-TEX0028699. Because this document has been marked as “Confidential-Restricted” pursuant to the Parties’ stipulated protective order (Dkt. No. 233), it has been filed under seal and an administrative motion is being filed along with this motion.

129. Attached hereto as **Exhibit 120** is a true and correct copy of a memo dated February 13, 2019, bearing Bates Number CHC0032495.

130. Attached hereto as **Exhibit 121** is a true and correct copy of a memo dated March 1, 2021, bearing Bates Numbers SFG0030032-SFG0030033.

131. Attached hereto as **Exhibit 122** is a true and correct copy of a memo dated March 19, 2020, bearing Bates Number MLB0030635.

132. Attached hereto as **Exhibit 123** is a true and correct copy of an email dated June 12, 2011, bearing Bates Numbers MLBAGN0000544-MLBGAGN0000545.

133. Attached hereto as **Exhibit 124** is a true and correct copy of Kris Watts' monthly salaries, bearing Bates Number WAS0000629.

134. Attached hereto as **Exhibit 125** is a true and correct copy of Kris Watts' eBIS

1 Profile History, bearing Bates Numbers MLBPIT000001-MLBPIT000002.

2 135. Attached hereto as **Exhibit 126** is a true and correct copy of Mark Wagner's
3 monthly salaries, bearing Bates Number MLB003463.

4 136. Attached hereto as **Exhibit 127** is a true and correct copy of Mark Wagner's eBIS
5 Profile History, bearing Bates Numbers MLBSFG000128-MLBSFG000129.

6 137. Attached hereto as **Exhibit 128** is a true and correct copy of Matthew Lawson's
7 monthly salaries, bearing Bates Number MLBLAW0000002.

8 138. Attached hereto as **Exhibit 129** is a true and correct copy of Matthew Lawson's
9 eBIS Profile History, bearing Bates Numbers MLBTEX000021-MLBTEX000022.

10 139. Attached hereto as **Exhibit 130** is a true and correct copy of relevant excerpts
11 from the Cincinnati Reds Minor League Spring Training Information, bearing Bates Numbers
12 CIN0032572 and CIN0032576.

13 140. Attached hereto as **Exhibit 131** is a true and correct copy of relevant excerpts
14 from the Colorado Rockies Minor League Spring Training Information, bearing Bates Numbers
15 COL0061064-COL0061067.

16 141. Attached hereto as **Exhibit 132** is a true and correct copy of Chicago White Sox
17 per diem payments, bearing Bates Numbers CWS0000823-CWS0000860.

18 142. Attached hereto as **Exhibit 133** is a true and correct copy of a Boston Red Sox
19 meal summary, bearing Bates Number BOS0001169.

20 143. Attached hereto as **Exhibit 134** is a true and correct copy of the relevant excerpts
21 of Atlanta Braves Minor League Uniform Player Contracts, bearing Bates Numbers
22 MLBATL0003001-MLBATL0003002.

23 144. Attached hereto as **Exhibit 135** is a true and correct copy of the relevant excerpts
24 of Kansas City Royals Minor League Uniform Player Contracts, bearing Bates Numbers
25 MLBKAN0002259-MLBKAN0002262, MLBKAN0002275-MLBKAN0002278 and
26 MLBKAN0002291-MLBKAN0002293.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 24th day of November, 2021.

Elise M. Bloom